

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :
- v. - :
: INDICTMENT

: S1 07 Cr. 771 (PAC)

JENNIFER ROWE, :
PAPE SECK, :
: Defendants.

- - - - - x

COUNT ONE

CALLY FILED

JUL 07 2008

The Grand Jury charges:

1. From in or about 2004, up to and including in or about December 2005, in the Southern District of New York and elsewhere, JENNIFER ROWE and PAPE SECK, the defendants, together with others known and unknown, unlawfully, willfully, and knowingly did combine, conspire, confederate, and agree together and with each other to commit offenses against the United States, to wit, to violate Sections 1546 and 1341 of Title 18 of the United States Code.

2. It was a part and an object of the conspiracy that JENNIFER ROWE and PAPE SECK, the defendants, and others known and unknown, unlawfully, willfully, and knowingly did forge, counterfeit, alter, and falsely make immigrant and nonimmigrant visas, permits, and other documents prescribed by statute and regulation for entry into and as evidence of authorized stay and employment in the United States, and did utter, use, attempt to

use, possess, obtain, accept, and receive such visas, permits, and other documents prescribed by statute and regulation for entry into and as evidence of authorized stay and employment in the United States, knowing these documents to be forged, counterfeited, altered, and falsely made, and to have been procured by means of false claims and statements, and to have been otherwise procured by fraud and unlawfully obtained, and did make under oath, and as permitted under penalty of perjury under section 1746 of title 28, United States Code, subscribe as true, false statements with respect to material facts in applications, affidavits, and other documents required by the immigration laws and regulations, and knowingly presented such applications, affidavits, and other documents which contained such false statements and which failed to contain any reasonable basis in law and fact, in violation of Title 18, United States Code, Section 1546(a) .

3. It was further a part and an object of the conspiracy that JENNIFER ROWE and PAPE SECK, the defendants, and others known and unknown, unlawfully, willfully, and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations and promises, for the purpose of executing such scheme and artifice and attempting so to do, would and did place in a post office and authorized depository for mail matter, matters and things to be sent and

delivered by the Postal Service, would and did deposit and cause to be deposited matters and things to be sent and delivered by private and commercial interstate carriers, and would and did knowingly cause to be delivered by mail according to the direction thereon, and at the place at which it is directed to be delivered by the person to whom it is addressed, such matter and thing, in violation of Title 18, United States Code, Section 1341.

Overt Acts

4. In furtherance of said conspiracy and to effect the illegal object thereof, JENNIFER ROWE and PAPE SECK, the defendants, and others known and unknown, committed the following overt acts, among others, in the Southern District of New York and elsewhere:

a. In or about January 2005, ROWE met with an individual and accepted payment in exchange for preparing the individual's Form I-687 and other immigration paperwork.

b. In or about January 2005, SECK spoke on the telephone with another individual about preparing the individual's Form I-687 and other immigration paperwork.

c. On or about May 12, 2005, an application for temporary resident status was sent via the United States Postal Service from Bronx, New York to Chicago, Illinois.

d. On or about August 18, 2005, a letter in connection with an application for immigration benefits was sent

via the United States Postal Service from Brooklyn, New York to Mount Vernon, New York.

(Title 18, United States Code, Section 371.)

COUNTS TWO THROUGH SEVEN

5. On or about the dates set forth below, in the Southern District of New York and elsewhere, JENNIFER ROWE and PAPE SECK, the defendants, and others known and unknown, having devised and intending to devise a scheme and artifice to defraud and for obtaining money and property by means of false and fraudulent pretenses, representations and promises, for the purpose of executing such scheme and artifice and attempting so to do, unlawfully, wilfully and knowingly did place in a post office and authorized depository for mail matter, matters and things to be sent and delivered by the Postal Service, and did deposit and cause to be deposited matters and things to be sent and delivered by private and commercial interstate carrier, and did take and receive therefrom, such matters and things, and did knowingly cause to be delivered by mail and such carrier according to the direction thereon, and at the place at which it was directed to be delivered by the person to whom it was addressed, such matters and things, to wit, ROWE, SECK, and others known and unknown, having devised a scheme to defraud applicants for immigration benefits, did receive information and material related to applications in the mail and did mail fraudulent applications, as described in the table below:

COUNT	DATE	FROM	TO	NATURE OF MAILING
TWO	4/22/05	Elmsford, NY	BCIS, P.O. Box 805876, Chicago, IL	Application for temporary resident status sent via U.S. Postal Service
THREE	5/12/05	Elmsford, NY	BCIS, P.O. Box 805876, Chicago, IL	Application for temporary resident status sent via U.S. Postal Service
FOUR	5/27/05	Elmsford, NY	BCIS, P.O. Box 805876, Chicago, IL	Application for temporary resident status sent via U.S. Postal Service
FIVE	7/26/05	Elmsford, NY	BCIS, P.O. Box 805876, Chicago, IL	Application for temporary resident status sent via U.S. Postal Service
SIX	8/18/05	Brooklyn, NY	JENNIFER ROWE, 424 Garden Ave., Mt. Vernon, NY	Letter in connection with application for immigration benefits sent via U.S. Postal Service
SEVEN	11/18/05	New York, NY	JENNIFER ROWE, 424 Garden Ave., Mt. Vernon, NY	Letter in connection with application for immigration benefits sent via UPS

(Title 18, United States Code, Sections 1341 and 2.)

Shirley Prevalan
FOREPERSON

Michael J. Garcia
MICHAEL J. GARCIA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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INDICTMENT

S1 07 Cr. 771 (PAC)

(18 U.S.C. §§ 371, 1341 & 2)

MICHAEL J. GARCIA
United States Attorney.

A TRUE BILL

Henry Prechowski
Foreperson.

7/7/08-7th. Superseding Indictment S 07 Cr. 771 (PAC).

Douglas F. Eaton